

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

DONALD C. SCHOLOFF,

Defendants.

CASE NO. CR20-0153-JCC

ORDER

This matter comes before the Court on Defendant's unopposed motion to continue trial (Dkt. No. 16). Defendant is charged by Indictment with Possession of Controlled Substances with Intent to Distribute, Possession of a Firearm in Furtherance of a Drug Trafficking Crime, and Felon in Possession of a Firearm. (Dkt. No. 1.) Trial is scheduled for September 7, 2021. (Dkt. No. 14.) Defendant moves to continue trial to sometime in November 2021. (Dkt. No. 16 at 1.) He indicates that additional time is necessary to review significant discovery, which includes data extracted from cellular devices, GPS and pen register/trap and trace data of cellular phones, surveillance evidence, and many hours of surveillance and pole camera videos, photographs documenting the search, and law enforcement reports. (*Id.* at 3.) He further indicates that counsel has a personal medical condition that presently impacts his ability to engage in effective trial preparation. (*Id.*)

Having thoroughly considered the motion and the relevant record, the Court FINDS that

1 the ends of justice served by granting a continuance outweigh Defendant and the public's interest  
2 in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). Specifically, taking into account the exercise of  
3 due diligence, the failure to grant a continuance would deny Defendant's counsel reasonable time  
4 necessary for effective preparation, *see* 18 U.S.C. § 3161(h)(7)(B)(iv), and would therefore result  
5 in a miscarriage of justice, *see* 18 U.S.C. § 3161(h)(7)(B)(i).

6 Accordingly, the Court GRANTS Defendant's motion (Dkt. No. 16) and ORDERS:

- 7 1. The September 7, 2021 jury trial is CONTINUED until November 29, 2021.  
8 2. The pretrial motions deadline is CONTINUED until October 29, 2021.  
9 3. The period from the date of this order until November 29, 2021 is an excludable time  
10 period under 18 U.S.C. § 3161(h)(7)(A).

11 DATED this 13th day of August 2021.

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15 John C. Coughenour  
16 UNITED STATES DISTRICT JUDGE  
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